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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 EUGEN SYSTEMS SA,

11 Plaintiff,

12 v.

13 EURODUBBING SERVICES LTD,

14 Defendant.

CASE NO. C21-0628JLR

ORDER

15 This matter comes before the court on Defendant Eurodubbing Services Ltd.’s
16 (“Eurodubbing”) motion to dismiss Plaintiff Eugen Systems SA’s (“Eugen Systems”) original complaint or, in the alternative, for a more definite statement. (MTD (Dkt. # 11).) Eurodubbing filed its motion on August 5, 2021. (*Id.* at 15.) The noting date for that motion was August 27, 2021. (*Id.* at 1.) On August 20, 2021, Eugen Systems filed an amended complaint as a matter of course. (Am. Compl. (Dkt. # 12)); *see also* Fed. R. Civ. P. 15(a)(1)(B). Neither party has submitted subsequent briefing in response to Eurodubbing’s motion. (*See generally* Dkt. (showing no response or reply filed).)

1 In the Ninth Circuit, the filing of “an amended complaint supercedes [sic] the
2 original complaint and renders it without legal effect.” *Lacey v. Maricopa Cnty.*, 693
3 F.3d 896, 927 (9th Cir.2012). “Courts often apply this rule to motions to dismiss a
4 complaint that has since been superseded and deny such motions as moot.” *Bisson v.*
5 *Bank of Am., N.A.*, No. C12-0995JLR, 2012 WL 5866309, at *1 (W.D. Wash. Nov. 16,
6 2012) (collecting cases). Eugen Systems’ amended complaint has superseded the original
7 complaint and is now the operative pleading in this proceeding. Moreover, it also
8 provides Eurodubbing with the alternate relief it requested through its motion for a more
9 definite statement. (See MTD at 11 (requesting that the court “require Plaintiff to amend
10 the complaint”).)

11 Accordingly, the court DENIES Eurodubbing’s motion (Dkt. # 11) as moot. This
12 ruling, however, is without prejudice to Eurodubbing re-filing a motion to dismiss or for
13 a more definite statement, if warranted, regarding Eugen Systems’ amended complaint.

14 Dated this 1st day of September, 2021.

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17 JAMES L. ROBART
18 United States District Judge
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